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REILLY TAR & CHEMICAL CORPORATION

MR. T. J. RYAN - INDPLS.

St. Louis Park

Mr. H. L. Finch

November 29, 1971

ST. LOUIS PARK PROPERTY

US EPA RECORDS CENTER REGION 5



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The following sequence of events occurred with relation to the plant property. The sequence of the events may or may not be of significance. I believe it was on Friday, November 19th, Mr. Larry Olson and Mr. Ernie Haglund of the Eberhardt Realty Company visited with me expressing an interest in the plant property. Mr. Olson had called prior to his visitation at the plant, and he was informed that we did not have any intentions of placing the property with a Real Estate Agent or Brokerage Firm. He was still interested in talking about the property so he made a date to come out the following day. During his visit, I told him that we were presently negotiating with the City of St. Louis Park on a possible sale of the property. It was explained to Mr. Olson that the City had shown their intentions to purchase the north twenty five acres of the plant property by placing it on the Official City Map, along with ten acres on the east side of the property for the purpose of the extension of Louisiana Avenue. It was further pointed out that with the extension of Louisiana Avenue, the rail access would be terminated into the property and any development of the property would be contingent, to a large extent, on what the City intended to do with Louisiana Avenue.

Mr. Olson asked if I would mind if he went over and talked to the City with regard to their intentions and I could see no reason why he should not as what I told him was a matter of public record.

As I informed you in our phone conversation, Mr. Olson and I were to meet on Tuesday, November 23rd. Mr. Olson, however, called on the morning of the 23rd and informed me that some personal business came up and he would like to postpone his meeting with me until Monday, November 29th, which was agreeable.

Attached please find Mr. Cherches letter dated November 22nd, suggesting that Mr. Reiersgord and I get together with he and his representatives to further discuss the plant property. About the time I had finished reading Mr. Cherches letter, I was notified that two members of the Pollution Control Authority wanted to see me for a planned tour of the plant. I was also informed that Mr. McPhee had called from the City of St. Louis Park Health Department and wished to speak to me. Mr. McPhee told me that the two members of the Pollution Control Agency were a part of the group that were going to tour the plant for the purpose of finding out what we would have to do to the trenches, settling pond, etc. so that we would be in conformance with the Pollution Control Agency's regulations. I told Harvey that the whole thing just

37
304000

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Mr. T. J. Ryan - Indpls. (Page 2)

did not set right with me and a tour of this type did not ring true in my mind. I thought that this was a rather premature visit on the Pollution Control Agency's part as we were still operating and intended to operate until June 30th. In the meantime we were removing various tanks and generally preparing for a shut down. If there was any question of how we were going to leave the property, the time for such concern was when we were closed and had completed our shut down. Mr. McPhee claimed he was following instructions from the P.C.A. and that they wanted to visit the plant. I explained that I did not want them to come down.

I then checked with Mr. Reiersgord to get his opinion of the visit and called you to get your opinion. The decision was arrived at to let the City know that we did not want these impromptu, spur of the minute, visits to the plant and that we were going to insist upon the courtesy of some advanced notification.

While I was visiting the Burlington Northern on November 24th, Mr. Popham, acting as the attorney for the City, called Tom Reiersgord and informed him that they were going to get a court order to visit the plant. The hearing for the court order was to take place at 2:00 P.M. and, therefore, Tom appeared on our behalf. In discussing the action before the judge with Mr. Reiersgord, Tom explained that he submitted copies of Mr. Cherches letter regarding the possible sale of the plant property and also a copy of the campaign literature "What lies ahead for Republic Creosote land". A copy was forwarded to you before but we are attaching another copy for your convenience. Please find attached also a copy of the court order to allow the Pollution Control Agency access to the plant property. The judge gave the Pollution Control Authority access to the plant property but struck out any reference to the City or City personnel that was requested. The judge knew that the Pollution Control Agency had the authority to visit the property but under the circumstances did not know whether the City ordinance was legal in that respect. Tom felt that we gained a point by having the City struck out from the Judicial Order.

The copy of the Judicial Order was served on me today, November 26th at approximately 10:30 A.M.. In fact I had just started this letter to you giving you a recap as above when I was interrupted by this delivery of the Judicial Order from the Pollution Control Agency. The person who delivered the notice to me stated that scuttlebutt had it that they planned to visit us on Monday, November 29th. He said that he would call and let us know before their representatives came out. It was at this time that I took the opportunity to explain to this gentleman that had the P.C.A. called and asked to arrange a meeting that this whole stupid procedure could have been avoided. He was told that if the Agency would only

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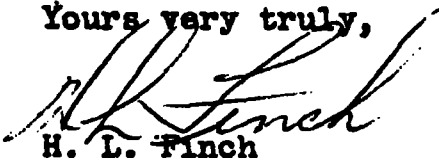
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Mr. T. J. Ryan - Indpls. (Page 3)

extend some common courtesy, more cooperation could be obtained. He was informed that we had cooperated with everybody in the Pollution Control Agency and the City, allowing them to take samples anywhere, at any time but now felt that the privileges afforded are being abused and that we wanted visits on a more orderly procedure.

Yours very truly,


H. L. Finch

HLP:ge

cc: Mr. P. C. Reilly - Indpls. ✓
Mr. R. J. Boyle - Indpls.

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